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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,697	05/17/2000	Paul W. Chau	SPY-022-C1	8633
7590	11/30/2006		EXAMINER	
David R Graham 1337 Chewpon Ave Milpitas, CA 95035			NGUYEN, VAN H	
			ART UNIT	PAPER NUMBER
			2194	
DATE MAILED: 11/30/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/574,697

Applicant(s)

CHAU ET AL.

Examiner

VAN H. NGUYEN

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-9, 41, 43-54 and 57-77 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-9, 41, 43-54, and 57-77 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 9/5/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

***DETAILED ACTION***

1. This communication is responsive to the Request for Continued Examination filed 09/05/2006.

Claims 2-9, 41, 43-54, and 57-77 are currently pending in this application. Claims 43, 57, and 69 are independent claims.

**Request Continuation for Examination**

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/05/2006 has been entered.

### **Information Disclosure Statement**

3. The Applicants' Information Disclosure Statement, filed 09/05/2006, has been received, entered into the record, and considered. See attached form PTO 1449.

### **Claim Rejections - 35 USC § 102**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 2-9, 41, 43-54, and 57-77 are rejected under 35 U.S.C. 102(e) as being anticipated by Gray et al (US 6,557,754). The Gray reference is submitted by Applicant in the IDS filed 09/05/2006.

#### **As to claim 43:**

Gray teaches an integrated circuit card interface device (card interface circuit to detect a mode of a card, col. 1 line 46 - col. 2 line 3) comprising:

- an application memory (module 42, col. 4 lines 13-32)

- an application engine for managing one or more applications in said application memory (firmware which the processor 40 executes for operation of the card reader 20 and for monitoring data and/or commands from the computer 12, col. 4 lines 33-65)
- an input/output module (buffer for data inputs and outputs, col. 4 lines 33-65)
- a host interface (mode to enable the card 80 to communicate directly with a host computer, such as computer 12 (FIG. 1A), col. 6 line 52 - col. 7 lines 13); and
- one more integrated circuit card interfaces (circuits 105a and 105b, USB UART 224 or 226, processor 32 and firmware installed in memory 34, col. 8 line 49 - col. 9 line 8)
- wherein the interface device is adapted to enable operation in accordance with multiple modes of operation (reader interface circuit ... operable in two communication modes, col. 1 line 46 - col. 2 line 3) the multiple modes of operation comprising a standalone mode of operation in which the interface device is not operably connected to a host device via the host interface (passive mode to enable the card 80 to communicate directly with the processor 12b, col. 8 lines 4-31).

**As to claims 2-6:**

Gray (col. 4 lines 13-32) teaches the recited read-only memory, application memory, and an I/O controller.

**As to claims 7-9:**

Gray (col. 4 line 66 - col. 5 line 6) teaches the integrated card circuitry as recited.

**As to claim 41:**

Gray (col. 3 lines 44-61) teaches the integrated circuit card interface device is portable.

**As to claims 44-54:**

Gray (col. 4 lines 33-65 et seq.) teaches the recited operation modes and connection configurations for interfacing the integrated circuit card to the system.

**As to claim 57**

Gray teaches an integrated circuit card interface device (card interface circuit to detect a mode of a card, col. 1 line 46 - col. 2 line 3) comprising:

- an application memory (module 42, col. 4 lines 13-32)
- an application engine for managing one or more applications in said application memory (firmware which the processor 40 executes for operation of the card reader 20 and for monitoring data and/or commands from the computer 12, col. 4 lines 33-65)
- an input/output module (buffer for data inputs and outputs, col. 4 lines 33-65)
- a host interface (mode to enable the card 80 to communicate directly with a host computer, such as computer 12 (FIG. 1A), col. 6 line 52 - col. 7 lines 13); and

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- one more integrated circuit card interfaces (circuits 105a and 105b, USB UART 224 or 226, processor 32 and firmware installed in memory 34, col. 8 line 49 - col. 9 line 8);
- wherein the interface device is adapted to enable operation in accordance with multiple modes of operation (reader interface circuit ... operable in two communication modes, col. 1 line 46 - col. 2 line 3) the multiple modes of operation comprising a programming mode of operation in which the interface device is operably connected to a integrated circuit card interfaces, and/or to a host device via the host interface, to enable one or more programs to be added to, and/or deleted from, the interface device (ROM 42a includes firmware which the processor 40 executes for operation of the card reader 20 and for monitoring data and/or commands from the computer 12, col. 4 lines 13-32 et seq.).

**As to claims 58-67:**

Note the rejections of claims 44-54 supra.

**As to claim 68:**

Gray teaches a display unit and an input (see Fig. 1A and the associated text).

**As to claim 69:**

Gray teaches a portable integrated circuit card interface device (reader that contains a card interface circuit to detect a mode of a card, col. 1 line 46 - col. 2 line 3) comprising:

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- means for operably connecting the interface device to an integrated circuit card to enable communication between the interface device and the integrated circuit card (processor coupled to the reader interface circuit and the memory, communicates with the reader, col. 1 line 46 - col. 2 line 3);
- means for operably connecting the interface device to a host device to enable communication between the interface device and the host device (reader 50 then proceeds with normal operation, including entering a passive mode to enable the card 80 to communicate directly with a host computer, such as computer 12, col. 6 line 52 - col. 7 lines 13);
- means for operating the interface device in a standalone mode in which the interface device is not operably connected to a host device to enable communication between the interface device and the host device (passive mode to enable the card 80 to communicate directly with the processor 12b, col. 8 line 4-31); and
- means for operating the interface device in a connected mode in which the interface device is operably connected to a host device to enable communication between the interface device and the host device (processor 40 executes for operation of the card reader 20 and for monitoring data and/or commands from the computer 12, col. 4 lines 13-32).

**As to claims 70-77:**

Note the rejections of claims 44-54 supra.

### **Response to Arguments**

5. Applicant's arguments filed on 09/05/2006 have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

6. The prior art made of record, listed on PTO 892 provided to Applicant is considered to have relevancy to the claimed invention. Applicant should review each identified reference carefully before responding to this office action to properly advance the case in light of the prior art.

### **Contact Information**

7. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM-6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

Commissioner for patents

P O Box 1450

Alexandria, VA 22313-1450

A handwritten signature in black ink, reading "Van H. Nguyen". The signature is fluid and cursive, with a large initial "V" and "N".

Van H. Nguyen  
Patent Examiner, AU 2194